

## REMARKS

### Summary of Amendments

Claims 1-16 have been canceled and claims 17 and 25 have been amended to address the rejection under 35 U.S.C. § 101. Claims 17 and 25 have also been amended to specify that the rights management is based on license terms specified in a digital license. No new matter has been added by these amendments.

Method claims 33-48 corresponding to computer readable medium claims 17-32, respectively, and system claims 49-64 corresponding to computer readable medium claims 17-32, respectively, have been added. No new matter has been added.

Upon entry of the above amendments, claims 17-64 will be in the application.

### Claim Rejections – 35 U.S.C. § 101

Claims 1-16 stand rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. Claims 1-16 have been canceled, thereby obviating this rejection. Withdrawal of the rejection of claims 1-16 as non-statutory is solicited.

Claims 17-32 also stand rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. Claims 17-32 have been amended to properly recite computer readable storage media having stored thereon “computer-executable instructions” for performing a method of forming an email or a document. Such claims do not recite “programs *per se*” or to include a “signal” and are believed to be statutory articles of manufacture. Withdrawal of the rejection of claims 17-32 as non-statutory is solicited.

New claims 33-64 are believed to recite statutory methods and systems, respectively.

### Claim Rejections – 35 U.S.C. § 102(b)

Claims 1-32 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Johnson et al. (US Patent No. 5,325,310) (“Johnson”). This rejection is traversed.

As noted above, claims 1-16 have been canceled, thereby mooted this rejection with respect to those claims. The remainder of the claims recite methods, computer readable storage media and systems for

forming an email comprising forming a body having at least one related and previously sent email, each previously sent email being represented in the body of the email as a body object, **each of the email and each body object therein being rights-managed as protected content based on license terms specified in a digital license**, whereby a recipient of the

email can render the protected content of each of the email and each body object therein by acquiring the digital license and satisfying the license terms set forth in the digital license

as set forth in claim 33, for example, or for

forming a document comprising forming a body having at least one defined portion therein, each defined portion being represented in the body of the document as a body object, **each of the document and each body object therein being rights-managed as protected content based on license terms specified in a digital license**, whereby a recipient of the document can render the protected content of each of the document and each body object therein by acquiring the digital license and satisfying the license terms set forth in the digital license

as set forth in claim 41, for example. As indicated by the bolded language, the created emails and documents are characterized in that the emails and documents are rights-managed as protected content based on license terms specified in a digital license. No such features are taught by Johnson.

In contrast with the claimed systems, methods and computer readable storage media, Johnson discloses a data processing system that enables a user to generate emails with “persistent reply attributes” that ensure a specific response by a recipient to a selected email. Johnson provides no teachings of rights management of emails or of documents and clearly does not teach forming emails or documents having “body objects” that are “rights-managed as protected content based on license terms specified in a digital license” as claimed. Absent such teachings, the teachings of Johnson are not believed to be particularly relevant. Withdrawal of the rejection of claims 17-32 as being anticipated by Johnson is thus appropriate. Allowance of claims 17-32 and new claims 33-64 over Johnson is solicited.

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**PATENT**

**Conclusion**

Claims 17-64 are statutory and distinguish over Johnson. Withdrawal of all rejections and issuance of a Notice of Allowability are solicited.

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